

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 7264**

**BILL NUMBER:** HB 1300

**DATE PREPARED:** Jan 2, 2001

**BILL AMENDED:**

**SUBJECT:** Destruction of Confiscated Firearms.

**FISCAL ANALYST:** David Hoppmann

**PHONE NUMBER:** 232-9559

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires the destruction of firearms confiscated by law enforcement officials.

**Effective Date:** July 1, 2001.

**Explanation of State Expenditures:** The State Police could experience an indeterminable decrease in the donation of local firearms for its use in forensic research, training, and comparison of firearms evidence.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** Local law enforcement agencies would experience an increase in expenses regarding the firearms destruction provision of this bill. The specific effects are currently indeterminable, and would vary between law enforcement agencies.

Law enforcement agencies would be required to destroy all confiscated firearms as opposed to the options listed below. Typically, firearms are destroyed by either welding essential moving parts together, by cutting the firearms in half with a torch, or by dropping molten lead into the barrels.

*Background-* Under current Indiana law, law enforcement agencies are allowed to dispose of confiscated firearms at their own discretion. Law enforcement agencies can dispose of such firearms through the following means: 1) sale to the general public via auction; 2) sale to licensed firearms dealers via auction; 3) sale to other law enforcement agencies; 4) donation to the State Police Laboratory or to other law enforcement laboratories; and 5) destruction. In addition, law enforcement agencies are allowed to retain confiscated firearms for use within their respective organizations.

It is reported that, although many law enforcement agencies are required to destroy confiscated firearms via

local court order, in most cases confiscated firearms are either sold to the public or to licensed firearms dealers.

**Explanation of Local Revenues:** Under current Indiana law, revenue from confiscated firearms sales are distributed locally to Firearms Training and Continuing Education funds in order to defray expenses for various training programs for law enforcement officials. Local law enforcement agencies would experience an indeterminable decrease in revenues which would vary between law enforcement agency.

**State Agencies Affected:** State Police.

**Local Agencies Affected:** Law Enforcement Agencies.

**Information Sources:** Doug Gosser, Indiana Sheriff's Association, (317) 356-3633.